

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:11CR00376-005</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE: JAMES S. GWIN</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>BRIAN NOWELL,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter was heard on December 21, 2016 upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of supervised release. The defendant was present and represented by Attorney Darin Thompson.

The violation report was referred to Magistrate Judge William H. Baughman, Jr., who issued a Report and Recommendation on December 1, 2016 [Doc. 188]. No objections having been filed the Court adopted the Magistrate Judge's Report and Recommendation and found that the following terms of supervision had been violated:

- 1) unauthorized use of drugs;
- 2) failure to comply with substance abuse treatment recommendations;
- 3) failure to submit monthly supervision reports;
- 4) failure to comply with Probation Officer's directives.

The Court found the violations to be Grade C and that defendant was a Criminal History Category IV.

The Court, upon consideration of statements made by counsel and defendant, continued defendant's supervision with the following modifications: 1) defendant shall successfully complete the substance abuse treatment requirements as directed by his supervising Probation Officer and current treatment provider, and 2) defendant shall obtain/maintain employment.

The Court requested the supervising Probation Officer to alert the Court immediately upon any further positive drug screens or defendant's failure to appear for treatment sessions. Defendant was admonished to comply with the terms of supervision as any future violations may result in a term of incarceration.

**IT IS SO ORDERED.**

Dated: December 21, 2016

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE